IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 5897 of 1999

Between:

1 S.Manohar Rao, S/o. Venkata Hanumantha Rao,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
2 Md.Sarvar, S/o. Md.Afzal,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
3 D.Babu Rao, S/o. Veera Raghava Rao,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
4 K.Janardhan, S/o. Ellaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
5 M.Venkataiah, S/o. Laxmaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
6 V.Srinivasa Chari, S/o. Venkata Chari,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
7 D.Surender, S/o. Mogili,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
8 Laxmaiah, S/o. Buchaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
9 Kandukuri Poornachander, S/o. Komuraiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.
10 M.Linga Moorthy, S/o. Veeraiah,

R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

11 D.Sudhakar, S/o. Chandraiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

12 Ch.Srinivas, S/o. Uppalaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

13 E.Chandrasekar, S/o. Iyalaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

14 K.Srinivas, S/o. Kailasham,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

15 B.Madhan, S/o. Soumbaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

16 A.Jitendar, S/o. Srihari,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

17 P.Bikshapathi, S/o. Mallaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

18 P.Venkata Swamy, S/o. Chandraiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

19 Eshwar, S/o. Puraiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

20 E.Venkateshwarlu, S/o. Veeraswamy,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

21 K.Kumaraswamy, S/o. Kanakaiah,
R/o. Gopalpur Village, Hanamkonda Mandal,
Warangal District.

..... PETITIONERS

AND

1 The Secretary, Department of Revenue,
Secretariat Buildings, Saifabad,
Hyderabad.

2 The Secretary, Irrigation Department,
Secretariat Buildings, Hyderabad.

3 The Secretary, Panchayat,
Secretariat Building, Hyderabad.

4 The Secretary, Department of Public Works,
Secretariat Building, Hyderabad.

6 The District Collector,
Warangal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondent authorities in converting the tank bed lands of Ura Cheruvu located in Survey No.89, comprising about 20 acres 1 gunta, situated at Gopalpur, Hanmkonda Mandal in Warangal, into house sites as illegal, arbitrary and opposed to public policy

Counsel for the Petitioners: MR.G.GOPAL GOVIND NAIK

Counsel for the Respondents: GP FOR ASSIGNMENT

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Writ petition was filed as Public Interest Litigation on the apprehension that the respondents were converting tank bed land of Ura Cheruvu at Gopalpur, Hanamkonda Mandal, Warangal District forming part of Survey No.89 into house sites. Interim directions were granted as prayed for in the writ petition that during the pendency of the writ petition, such land will not be allotted, assigned or transferred. Rule nisi was issued in the year 1999. Till date, there is no response from the respondents. Therefore, we must presume that the respondents have no objection and we make the interim order absolute.

Accordingly, we allow the writ petition and restrain the respondents from converting the tank bed lands of Ura Cheruvu at Gopalpur, Hanamkonda Mandal, Warangal District forming part of Survey No.89 into hose sites or from allotting, assigning or transferring the same to any person whatsoever.

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DEVINDER GUPTA, CJ

8-11-2004

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C.V.RAMULU, J

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To

1 The Secretary, Department of Revenue,
Secretariat Buildings, Saifabad,
Hyderabad.
2 The Secretary, Irrigation Department,
Secretariat Buildings, Hyderabad.
3 The Secretary, Panchayat,
Secretariat Building, Hyderabad.
4 The Secretary, Department of Public Works,
Secretariat Building, Hyderabad.
6 The District Collector,
Warangal, Warangal District.

7 2 CCs to the Govt. Pleader for Assignments, High Court Buildings,

Hyderabad (OUT).

8 2 CD copies.